NEW YORK, FRIDAY, JANUARY 10, 1862.

NEWS FROM WASHINGTON.

Speech of Mr. Sumner in the Senate on the Trent Affair.

The Position of England and the United States as Regards the Law of the Ocean.

Great Britain Pledged to the Maritime Code of America.

The Secretary of the Wavy Roughly Handled in the Senate.

The Financial Operations of Morgan and Cummings Under Consideration.

IMPORTANT ARMY BILLS BEFORE CONGRESS.

Arrival of the Released Prisoners from Richmond,

The speech of Mr. Summer in the Senate to-day, on the cent affair, was a masterly and conclusive exposition of the triumph of American principles as applied to interna-tional law. In all his arguments and illustrations he left our respected mother England "out in the cold." He de-monstrated that by all other leading European Fowers many years, and that England alone had opposed t. The inconsistency of the present position of England, with her policy in all the past, was ad-mirably illustrated, and the conclusion, that Great Britain ries Chase and Cameron occupied seats on a floor of the chamber, where were also French, Russian, Austrian, Prussian, Danish and ish Ministers. Lord Lyons was not present, as etiite required that he should not be there on such an usion. The speech was listened to with fixed atten-M. Mercier, the French Minister, occupied a seat next to Mr. Bright, and exchanged salutations with Mr. Sumner

on the public in regard to himself. It has removed much prejudice that existed against him, and added greatly to lavery; and on account of the strong anti-slavery pro-livities of England hitherto, and the sympathy hereto-pre from this cause existing between leading English polithe right of search, and the dignified rebuke he administered to England, exhibited his capacity to regard

iblic affairs with the eye of a genuine statesman.

The applause accorded to this really great production is

MERAL STONE AND THE RENDITION OF FUGITIVE was tickling the rebels by returning fugitive slaves, and that he compelled Massachusetta soldiers in his comsed the indignation of Governor Andrew, of that State nine which I understand Mr. Sumner fully satisfie ent, and do not reflect creditably upon General Stone, who, it is said, employed language towards the Massachusetts Senstor which is characterized by those who have read the letter as being unbecoming a soldier, much less an officer of the distinction and position of General Stone. Mr. Sumner treats the letter with cont. The whole subject is in the hands of General

unpleasant disagreement between himself and when a body of the rebels crossed New Market Bridge eneral Mansfield went out with a force to repuls em. There was a group of houses on each side of a creek. Those nearest to the federal fortificaered our troops, and General Mansfield, to deprive the ther side. For this he was severely consured by Gen. deemed a duty in exercising a precautionary care for position peculiarly disagreeable, but his request for a

Mr. W. T. Smithson, a prominent banker of this city, was arrested yesterday afternoon, upon the charge of treasonable correspondence with the enemy. He is a Vir-ginian, and has never made any secret of his sympathy were his most intimate associates. He was a zealous and th, and his friends are unwilling to believe that he has been guilty of any improper conduct.

CONDITION OF GENERAL M'CLELLAN AND GENERAL Neither General McClellan nor General Marcy were out

to-day, the inclemency of the weather rendering their

Everything has been quiet to-day along the lines of the

THE REPORTED BATTLE AT ROMNEY. cerned, nothing of official of the fight at Romney, aned to-day, has been received at headquaters.

will receive their pay, and those enlisted for three years

were comfortably cared for at the Government Voluntary Receiving House, near the railroad station. Dr. A. Trippe of Scranton, Penn., is among the arrivals. The remain-der of the party either went home after arriving in Balti-more from Old Point, or are detained there at the govern-ment hospitals, owing to their wounds breaking out afresh.

duously applied themselves to that duty. They have been in session nearly every day since, and have obtained much valuable information. Senator Wade, the chair, man, is so industriously engaged that he is seldom seen in the Senate, and then only when important votes require his experience.

A BILL TO PUNISH PRAUD AND BRIBERY. In the House to-day Mr. Harris introduced a bill to pre-vent fraud in the public service and punish bribery in cortain cases. This bill makes it a high misdemeanor, public agent, either before or after his election or ap-pointment, to influence his vote, decision or action in any proceeding, or in the discharge of any duty, or to induce him to neglect or omit the perfor-mance of any duty, or to use his influence to procure any appointment or emolument, or allowance, or payment. The penalty fixed is a fine of not less than the value nor more than three times the value of the to make contracts or purchases for the government, who shall directly or indirectly accept a present or reward,

AFFAIRS ON THE LOWER POTOMAC. There is considerable ice in the Potomac, but the iron clad steamer King Philip keeps the communication open. The steamer Stepping Stones came from the lower fictilla, past the batteries, last night, to the flagship of the upper fictilla. Nothing new had occurred down the river. The tack the Pensacola when she goes to sea.

THE ARMY. Colonel Friedman, of the Cameron Dragoons, received a despatch to-day from Governor Denniston, of Ohio, tender-

tenant in Captain Mott's old battery. He was at Bull run, where he acquitted himself gallantly.

who was severely injured some time since at drill, to-day

All of Captain Mott's officers have been pro the ranks. The Captain is determined to admit of no other appointments if he can help it, and the men under him, knowing this determination, work with a hopeful

zeal and courage.

First Lieutenant W. G. Mitchell, of the Forty-ninth Pennsylvania regiment, has been appointed Aid-de-Camp on the staff of Brigadier General Hancock. PAYMENT OF THE TROOPS.

ments about perfected for paying our troops across the Potomac. Major Ritter to day paid off the Forty-third

as a hotel, but now as a hospital. A barrel had been se-creted in the cellar filled with powder and projectiles and a fuse was found extending from there to the stable. In proximity to the combustibles lucifer matches and Chinese crackers had been plentifully distributed. The first end at the stable had actually ignited; but the act was fortunately discovered by the guard, and the progress of the slow fire extinguished. But for this watch-fulness and prompt action, not only would several hun-

Yard are required to accompany their papers with recom mendations from their last employers, and must have seen three years sea service, and not be over thirty Some three weeks since, it was announced that General | years of age. Acting masters are similarly appointed,

> Treasury notes are four per cent discount. on New York 16 per cent.

THE NEW GRANADIAN MINISTER. consented to act as Minister of the legitimate governmen not be received as the representative of Mosquera. This is not correct. It well known here that immediately ment was informed that he would proceed to Washington

The Senate Committee on the Judiciary have come to the conclusion, six to one, to report against the expulsion of Senator Jesse D. Bright, of Indiana, the question involv-

ng his loyalty having been referred to them. THE PRESIDENT AT THE CAPITOL. The President, accompanied by his private secretaries, was at the room of the Vice President in the Capitol to-day, attending to public business.

The name of Mathian Spoo, of the Fifth Wisconsin regi. ment, appeared among the list of deserters published in the Herald. General Hancock assures me that Spoo is not a deserter. He was subject to attacks of insanity, to have wandered outside of our lines and to have been captured by the enemy's pickets. Aside from Spoo and another crazy soldier, who is now in an Essane asylum, there has not been a desertion from General Hancock's

THE UNITED STATES AGRICULTURAL SOCIETY. The United States Agricultural Society to-day re-elected and nearly all the old Vice Presidents. The Executive Committee was reorganized, and consists of Marshall P. Ohio, and M. Meyers, of California. President Lincoln's and statistical department was warmly commended, and he was elected an honorary member. The sugges-tions of the President's address were debated and endorsed, and a large edition was ordered to be printed The establishment of an agaicultural department was dis-cussed and recommended. There was a decided expres-sion of opinion against national exhibitions, unless they

THIRTY-SEVENTH CONGRESS.

Senate.

Mr. Collarm, (rop.) of Vt., from the Post Office Committee, reported back the bill to promote the efficiency of

The bill provides that all dead letters be returned to the writers instead of being destroyed.

After a long discussion the bill was postponed till to

EXPULSION OF WALDO II. JOHNSON, OF MUNICIPAL Mr. TRUMBULL, (rep.) of Ill., reported from the Judiciary Committee in favor of the resolution to expel Waldo H. Johnson, of Missouri.

Mr. Wilson, (rep.) of Mass., reported a bill to provide for the Signal Department of the army.

thic surgeons and physicians employed in the

ALLEGED GREAT FRAUDS BY ARMY AND MANY CONTRACTO

Mr. HAIR, (rep.) of N. H., presented a petition from citizens of Pennsylvania, which states as follows:—
Whereas, great frauds have been perpetrated on the Treasury by the appointment of Mr. Cummings by Mr. Cameron, and the appointment of Mr. Morgan by Mr. Welles, we therefore ask that a statute be enacted to prevent the appointment of persons without the statute therefor.

Mr. Hale also introduced a bill to punish fraud on the Mr. Half also introduced a bill to punish fraud on the Treasury. The bill provides that any person obtaining money fraudulently be punished with a fine to the amount of money and imprisonment at hard labor for not more than ten years. If any officer of the government do it be be discharged and punished, and ever after held ineligible for any office. Referred.

A communication was received from the War Department transmitting the report of the Sanitary Commission. Referred.

The House resolution in regard to bonded coffse and ungar, laid over yesterday, was taken up and passed by reas 28, nays 16.

Mr. SCHMER, (rep.) of Mass., said—Mr. President, every principle of international law, when justly and authorita-tively settled, becomes a safeguard of peace and a land-mark of civilization. It constitutes a part of that code wards detained in custody at Fort Warren, have been liberated, and placed at the disposition of the British government. This has been done at the instance of that government, courteously conveyed, and founded on the assumption that the original capture of these men was an act of violence which was an affront to the British flag and a violation of international law. This is a simple outline of the facts. But in order to appreciate the value of this precedent, there are other matters which must be brought into view. These two old men were citizens of the United

embassadoriai character, which, as he well knew, according to high lititish authority, rendered them liable to be atopped. If, in the ardor of an honest nature, Captain Wilkes erred, he might well say:

Who can be wise, amazed, temperate and furious, Loyal and ucutral in a moment. No man.

The especition of my violent love.

Outran the pauser reason.

The tapecition of my violent love.

Outran the pauser reason.

The tapecition of my violent love.

Outran the pauser reason.

That had a heart to love, and in that heart.

Georage to make his love known?

If this transaction be regarded exclusively in the light of British precedents; if we follow the seeming authority of the British admirally, speaking by its greatest voice; and especially if we accept the oft repeated example of British cruisers, upbeld by the British government against the off repeated protests of the United States, we shall not find it difficult to vindicate it. The act becomes questionable only when brought to the touchstone of thise liberal principles, which, from the earliest times, the American government has openly avowed and sought to advance, and which other European nations have accepted with regard to the sea. Indeed, Great Britain cannot/ complain except by now adopting those identical principles; and should we undertake to vindicate the act, it can be done only by repudiating these identical principles; our two cases will be reversed. In the struggle between Lacretes and Hamlet, the two combatants exchanged rapiers; so that Hamlet was armed with American principles, while to us is left only those British principles which, throughout our history, have been constantly, deliberately, and solemnly rejected. Lord Russell, in his despatch to Lord Lyons, communicated to Mr. Seward, contents himself by saying that "it appears that certain individuous have been forcibly taken from on board as British vessel, the snip of a neutral Power, while such excelsed twa pursying a lawful and innocent voyage, but there is no specification of the precise

judicate, sword in hand, with a servolo sic jubeo on the very dock which is a part of our territory.

Thus it appears that the present complaint of the British government is not founded on the assumption by the American war steamer of the belligerent right of search; nor on the ground that this right was exercised on board a neutral vessel between two neutral ports; nor that it was exercised on board a small steamer, sustained by a subvention from the Crown, and officered is part from the royal navy; nor that it was exercised in a case where the penalties of contraband could not attach; but it is founded simply and precisely on the idea that persons other than apparent officers in the military or naval service, cannot be taken out of a neutral ship at the more will of the officer who exercises the right of search, and without any form of trial. Therefore, the law of nations has been violated, and the conduct of Captatain Wilkes must be disavowed, while men, who are traitors, conspirators, and rebels, all in one, are allowed to go free. Surely, that criminals, though dyed in guilt, should go free, is better than that the law of nations cannot be violated without overturning the protection of the innocent as well as the guilty. On this general principle there can be no question. It is but an illustration of that important maxim, recorded in the Latin of Forteeue, "Better that many guilty should eacape than one innocent man should suffer," with this difference, that in the present case a few guilty escape, while the innocent records a few guilty escape, while the innocent records are a few guilty escape, while the innocent records as each as one and the new of the model were recorded in the Latin of Forteeue, "Better that many guilty should eacape than one innocent man should suffer," with this difference, that in the present case a few guilty escape, while the innocent person case

occurred:—
Could the selzure of British subjects in such cases be regarded as within the exercise of a beiligerent right, the scanowledged laws of war, which torbid an article of captured property to be adjudged without a regular investigation before a competent tribunal, acoust imperiously demand the fuirest trial there the warrel rights of persons were at issue. In place of such a trial, these rights are subjected to the will of eccry perty commonder.—Stateman's Manual, vol. 1, p. 294.

While the war was waging the subject was still discussed. Mr. Grundy, in the House of Representatives, in A subaltern or any other officer of the British Navy ought not to its arother in such a case. The liberties and lives of American citizens ought not to depend on the will of such a party.—State Papers, vol. 3, p. 606.

Such was the American ground. The British pretension was unhesitatingly proclaimed in the declaration of the Prince Regent, afterwards George IV., given at the palace of Westminster, January 9, 1813:—

was unhesitatingly proclaimed in the declaration of the Prince Regent, afterwards George IV., given at the palace of Westminster, January 9, 1813:—

The President of the United States has, it is true, since proposed to Great Britian on armistice; not, however, on the admission that the cause of war hitherto relied on was removed; but on condition that Great Britian, as a preliminary step, should do away a cause of war how brought forward as such for the first time—namely, that she hould diamidon the exercise of her Undoughed British scaume, the natural born adjects of his Majorty.

His royal Highness can never admit that, in the exercise of the Uniously of scarching meatral merchant excels in time of war, the imprement of British examen, when tound thereto undisputed right of scarching neutral merchant excels in time of war, the imprement of British examen, when tound therein, can be declared any violation of a newtral flag. Neither can be admit that the taking of such scarces in the considered by any neutral State as a hoadle measure or a justifiable cause of war.

The war was closed by the treaty at Ghent; but perversely the British pretension was not renounced. Other negotiations in 1818, under President Monroe; in 1823, also under Monroe; and again in 1827, under John Quincy Adams, expressly to procure its renunciation, were all unavailing. At last, in 1842, at the treaty of Washington, Mr. Webster, calmly setting aside all iden of further negotiation on this pretension, and without even proposing any stipulation with regard to it, deliberately announced the principle irrevocably adopted by our government. It was the principle early announced at the beginning of the republic by Mr. Jefferson. This despetch is one of the most memorable in our history, and it bears directly on the existing controversey when, in exposing the British pretension, it says:—

But the lieutenant of a man-of-war, having necessity for men, is opt to be a summer fining, and its decisions will be quite as significant of his own wants a

But the licentenant of a man-of-war, having necessity for men, is ept to be a summary judge, and his decisions will be quite as significant of his own wants and his own power as of the truth and justice of the case.—Webster's Works, vol. 6, p. 325.

At a later day still, en the very eve of recent events, we find General Cass, as Secretary of State, in his elaborate instructions to our Ministers in Europe, dated 27th June, 1859, declaring principles which may properly control the present question. He says:—

It is obvious, from the temper of the age, that the present is no safe time to assert and entorce pretensions on the part of beligherent Powers affecting the interest of nations at peace, under such a reference are clearly justified by the lare of nations.

The stopping of neutral vessels upon the high seas, their forcible entrance, and the overhanding and examination of their cargoes, the science of their freight, in the self of a foreign offer, the frequent interruption of their vigages by compelling them to change their destination, in order to seek redress; and, down at the case of the compelling them to change their destination, in order to seek redress; and, down at, the abuse which are approximately in remove; these are, indeed, secrets where the world without a formidable effort to prevent them.

Such is an authentic history of this British protension, and of the manner in which is has been met by our government. And now the special argument formerly directed by us against this precision, then throughout all these international debates, extending over at least two generations, we have been wrong. But it has been sentimes said tile steam packet having on board the rebel emissaries from a British packet ship. If Captain Wilkes is right in this pretension, then throughout all these international debates, extending over at least two generations, we have been wrong. But it has been sentimes said tile steam packet having on board the rebel emissaries from a British packet ship. If Captain Wilkes is right i

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against the vessel that may be let out for a purpose so intimately connected with hostile operations.—The Orosesubo, 1. Robinson R., p. 634.

Admit that the emissaries of an unrecognized government cannot be recognized as embassadors with the liabilities as well as immunities of this character, yet, in the face of these words it is difficult to see how a government bowing habitually to the authority of Sir William Scott, and regarding our rebels as "belligerents," can assert that a steam packet, conveying emissaries from these belligerents, "sent out on the public service and at the public expense," was, according to the language of Lord Russell, "pursuing a lawful and innocent voyage." At least, in this assertion, this government seems to turn its back again upon its own history, or it asts aside the facts so openly beasted with regard to the public character of these tugitives. On this question British policy may change with circumstances, and British precedents which illustrate it are solemn treaties. The words of Vattel, and the judgments of Sir William Scott, were well known to the statesmen of the United States; and yet, in the face of these authorities, which have entered so largely into this debate, the American government at an early day deliberately adopted a contrary policy, to which, for half a century, it has standily adhered. It was plainly declared that only soldiers or officers could be stopped, thus positively excluding the idea of stopping embassadors, or emissaries of any kind, not in the military or naval service. Mr. Madison, who more than any other person shaped our national policy on maritime rights, has stated it on this question. In his remarkable despatch to Mr. Monroe, at London, dated January 5, 1804, he says:—

The article renounces the claim to take from the ressels of the neutral party, on the high seas, any person whatever sot in the military service of an enemy, an exception which we admit to come within the law of nations, on the busyles tof contraband of war. With this excepti

In a reply, bearing date 12th April, 1805, this principle was positively repudfitted by the Britisa Minister—so that the two governments were ranged unequivocally on opposite sites. The treaties of the United States with foreign nations are in harmony with this principle so energotically proposed and upheld by Mr. Madison. In the treaty of commerce with Fiance, in 1778, it is expressly provided that:—

In the treaty with the Netherlands, in 1882, the exception is confined to "military men actually in the service of an enemy," (Ibid., p. 38;) and this same exception will also be found in the treaty with Sweden, in 178;

wol. 8, p. 148.

In other treaties, subsequent to the judgment of Sir William Scott, recognizing despatches as contraband, and therefore practically discarding it, after enumerating contraband articles, without specifying "despatches," the following provision is introduced:—